

**\*E-FILED 06-23-2010\***

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ALFRED R. MONTANO, MARY R.  
MONTANO,

No. C10-01536 HRL

Plaintiffs,

**ORDER CONTINUING INITIAL CASE  
MANAGEMENT CONFERENCE**

v.

AMERICAN HOME MORTGAGE CORP. dba  
AMERICAN BROKERS CONDUIT, et al.,

Defendants.

This matter is set for an initial case management conference on June 29, 2010.

However, the parties have failed to file a Joint case Management Statement as required by Civil Local Rule 16-9. Additionally, defendants have not yet consented or declined to proceed before a United States Magistrate Judge.

Accordingly, the initial case management conference is **continued to July 13, 2010, 1:30 p.m.** The parties shall file a Joint Case Management Statement no later than **July 6, 2010.** Failure to timely file that statement (or a separate statement if opposing counsel fails to participate in preparation of a statement) may result in sanctions and, possibly, an order to show cause why the case should not be dismissed (or default entered if it is the defendant who fails to file a statement) for failure to prosecute (or defend) the action.

1           Additionally, **no later than July 6, 2010**, defendants shall file either a consent or  
2       declination to proceed before a United States Magistrate Judge. The forms are available from  
3       the Clerk of the Court and on the court's website at [www.cand.uscourts.gov](http://www.cand.uscourts.gov).

4           SO ORDERED.

5       Dated:     June 23, 2010

  
\_\_\_\_\_  
HOWARD B. LOTT  
UNITED STATES MAGISTRATE JUDGE

1 5:10-cv-01536-HRL Notice has been electronically mailed to:

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5 Counsel are responsible for distributing copies of this document to co-counsel who have not  
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